



RCE/17/00

JUL 18

PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

|                      |                 |
|----------------------|-----------------|
| Application Number   | 09/530,795      |
| Filing Date          | May 5, 2000     |
| First Named Inventor | Brian C. KELLER |
| Group Art Unit       | 1761            |
| Examiner Name        | K. Hendricks    |
| Attorney Docket No.  | 270142000300    |

RECEIVED  
JUL 23 2003  
TC 1700

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**

a.  Previously submitted

- Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_ (Any unentered amendment(s) referred to above will be entered).
- Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- Other \_\_\_\_\_

b.  Enclosed

- Amendment/Reply
- Affidavit(s)/Declaration(s)
- Information Disclosure Statement (IDS)
- Other Fee Transmittal; Petition for Extension of Time; Return Postcard

**2. Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 CFR 1.17 (e) is required by 37 CFR 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 03-1952

- RCE fee required under 37 CFR 1.17(e)
- Extension of time fee (37 CFR 1.136 and 1.17)
- Other Supplemental Information Disclosure Statement

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |                   |                                   |               |
|-------------------|-------------------|-----------------------------------|---------------|
| Name (Print/Type) | David L. Devernoe | Registration No. (Attorney/Agent) | 50,128        |
| Signature         |                   | Date                              | July 17, 2003 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 7/17/03 Signature: Judy Bridgwater (Judy Bridgwater)

sd-156282

07/22/2003 AYONDAF1 00000122 031952 09530795

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# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 1,075.00)

**Complete if Known**

|                      |                 |
|----------------------|-----------------|
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| First Named Inventor | Brian C. KELLER |
| Examiner Name        | K. H. ndricks   |
| Group Art Unit       | 1761            |
| Attorney Docket No.  | 270142000300    |

**METHOD OF PAYMENT (check all that apply)**

Check  Credit Card  Money Order  Other  None  
 Deposit Account

Deposit Account Number 03-1952 referencing  
27014200300

Deposit Account Name Morrison & Foerster LLP

The Commissioner is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

| Large Entity                      | Small Entity | Fee Description                                                                    | Fee Paid |
|-----------------------------------|--------------|------------------------------------------------------------------------------------|----------|
| 1051                              | 130          | 2051 65 Surcharge - late filing fee or oath                                        |          |
| 1052                              | 50           | 2052 25 Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053                              | 130          | 1053 130 Non-English specification                                                 |          |
| 1812                              | 2,520        | 1812 2,520 For filing a request for ex parte reexamination                         |          |
| 1804                              | 920*         | 1804 920* Requesting publication of SIR prior to Examiner action                   |          |
| 1805                              | 1,840*       | 1805 1,840* Requesting publication of SIR after Examiner action                    |          |
| 1251                              | 110          | 2251 55 Extension for reply within first month                                     |          |
| 1252                              | 410          | 2252 205 Extension for reply within second month                                   |          |
| 1253                              | 930          | 2253 465 Extension for reply within third month                                    |          |
| 1254                              | 1,450        | 2254 725 Extension for reply within fourth month                                   |          |
| 1255                              | 1,970        | 2255 985 Extension for reply within fifth month (previously paid \$465.00)         | 520.00   |
| 1401                              | 320          | 2401 160 Notice of Appeal                                                          |          |
| 1402                              | 320          | 2402 160 Filing a brief in support of an appeal                                    |          |
| 1403                              | 280          | 2403 140 Request for oral hearing                                                  |          |
| 1451                              | 1,510        | 1451 1,510 Petition to institute a public use proceeding                           |          |
| 1452                              | 110          | 2452 55 Petition to revive - unavoidable                                           |          |
| 1453                              | 1,300        | 2453 650 Petition to revive - unintentional                                        |          |
| 1501                              | 1,300        | 2501 650 Utility issue fee (or reissue)                                            |          |
| 1502                              | 470          | 2502 235 Design issue fee                                                          |          |
| 1503                              | 630          | 2503 315 Plant issue fee                                                           |          |
| 1460                              | 130          | 1460 130 Petitions to the Commissioner                                             |          |
| 1807                              | 50           | 1807 50 Processing fee under 37 CFR 1.17(q)                                        |          |
| 1806                              | 180          | 1806 180 Submission of Information Disclosure Stmt                                 | 180.00   |
| 8021                              | 40           | 8021 40 Recording each patent assignment per property (times number of properties) |          |
| 1809                              | 750          | 2809 375 Filing a submission after final rejection (37 CFR 1.129(a))               |          |
| 1810                              | 750          | 2810 375 For each additional invention to be examined (37 CFR 1.129(b))            |          |
| 1801                              | 750          | 2801 375 Request for Continued Examination (RCE)                                   | 375.00   |
| 1802                              | 900          | 1802 900 Request for expedited examination of a design application                 |          |
| Other fee (specify)               |              |                                                                                    |          |
| *Reduced by Basic Filing Fee Paid |              | <b>SUBTOTAL (3) (\$ 1,075.00)</b>                                                  |          |

\*\*or number previously paid, if greater; For Reissues, see above

| SUBMITTED BY      |                   | Complete (if applicable)             |        |                          |
|-------------------|-------------------|--------------------------------------|--------|--------------------------|
| Name (Print/Type) | David L. Devernoe | Registration No.<br>(Attorney/Agent) | 50,128 | Telephone (858) 720-7943 |
| Signature         |                   |                                      | Date   | July 17, 2003            |

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Dated: 7/17/03

Signature: Judy Bridgwater (Judy Bridgwater)